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UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK

Civil Action, File Number 07 CIV. 7623 (KMK)

VINCENT ALAIMO, et al.

v.

KLEIN AND FOLCHETTI, et al.

)
)
) **RESPONSE OF CO-DEFENDANT**
) ERIK CARLSSON doing business as
) A&C AUTOMOTIVE CONSULTING
) **IN OPPOSITION TO PLAINTIFFS'**
) **MOTION FOR STAY AND**
) **MOTION FOR SEVERANCE**
) **Electronically Filed Document**

COMES NOW Co-Defendant Erik Carlsson, residing at 29 Cooper Lane,
Chester, New Jersey, doing business as A & C AUTOMOTIVE CONSULTING
(collectively referred to as "Co-Defendant Carlsson" hereafter) and says:

OPPOSITION TO PLAINTIFFS' MOTION FOR STAY

1. Co-Defendant Carlsson is opposed to a further delay in the litigation instituted by Plaintiffs against Co-Defendant as a number of years have already elapsed since the contact between Plaintiffs and Co-Defendant Carlsson upon which Plaintiffs base the allegations in their Complaint that specific conduct by Co-Defendant Carlsson has caused Plaintiffs harm, for which they should be compensated. As memories dim with the passage of time, it is imperative that this matter proceed forthwith so that the

depositions of both parties can be taken to preserve the record for an eventual trial of this matter.

2. Plaintiffs have lodged separate and distinct charges against Co-Defendant Carlsson that are based upon his actions alone and thus the Folchetti Defendants are not necessary to Co-Defendant Carlsson's defense nor to Plaintiffs' alleged case against Co-Defendant Carlsson. Hence, Co-Defendant Carlsson respectfully requests that the Court not allow the Plaintiffs to "put Co-Defendant Carlsson on ice" to ease their heavy litigation calendar, which involves at least two other lawsuits based upon Plaintiffs' grievances against the Folchetti Defendants, the automotive industry, and federal regulatory agencies.

MOTION TO SEVER

3. Co-Defendant Carlsson respectfully requests that the Court sever Plaintiffs' case against Co-Defendant Carlsson from Plaintiffs' case against the Folchetti Defendants so that Co-Defendant Carlsson will receive the Court's undivided time and attention as this litigation proceeds through the justice system. In particular, Co-Defendant Carlsson would like to have a pre-motion conference in which the Plaintiffs are forced to focus specifically on the charges being brought against Co-Defendant Carlsson based upon his actions alone. Co-Defendant Carlsson does not believe that he can receive justice if Plaintiffs are not directed to focus on the merits of their case against Co-Defendant Carlsson alone, aside from their grievances against the Folchetti Defendants. In short, it is impossible to mount a defense without knowing with specificity the particular offenses one is alleged to have committed.

Dated: May 19, 2008

/s/ Gwendolyn Y. Alexis
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